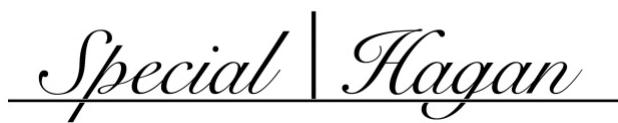


THE LAW OFFICES OF



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Monday, May 16, 2022

**VIA EMAIL and ECF**

Honorable District Judge John P. Cronan  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Courtroom 20C  
New York, New York 10007-1312

Re: Kaye v. Health and Hospitals Corporation et. al.  
18-CV-12137(JPC)(JLC)

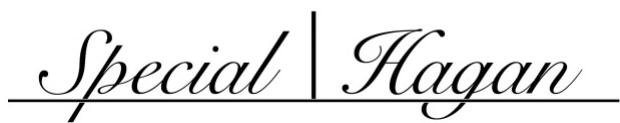
Dear Honorable District Judge Cronan:

I am writing in response to Defendants' submission. On May 8, 2022, I contacted the Court under seal requesting an extension of time to file Plaintiff's Opposition to Defendants' motion for Summary Judgment. (ECF Dkt. 253) At that time, I disclosed to the Court, that I continue to suffer the repercussion of long haul COVID and that I needed until May 11<sup>th</sup> to complete Plaintiff's Opposition. In my submission to the Court, I offered to provide my medical records under seal in further support of my request. I conveyed to the Court that I respect its rules but that my health has prevented me from completing submissions in a timely fashion. To make sure that Plaintiff had filings, I submitted one page submissions, however by no means was this to stand as Plaintiff's opposition. Dr. Kaye has invested too much for that to suffice.

Since my ex parte sealed request on May 8, 2022, I have not heard back from the Court. Nevertheless, I have continued to work on Dr. Kaye's opposition. I respectfully ask that the Court grant me until May 19<sup>th</sup> to complete Dr. Kaye's response. Due to the brevity of Defendants' opposition, I do not believe that they would be prejudiced should Plaintiff have the opportunity to fully brief her opposition. Further, I do not believe that any other deadlines in this matter would be impacted should Plaintiff's request for an extension be granted.

Accordingly, I humbly ask for the Court's grace in this matter. Dr. Kaye and I both have expended a tremendous amount of resources and work on this matter, and based on the gravity of the allegations, she should have the opportunity to vigorously litigate this matter on the merits. I apologize that my health and the constant challenges it has presented has placed Dr. Kaye and myself in this unfortunate situation. As such, again I ask for the last time for the Court's mercy, on behalf of myself and most importantly on behalf of Dr. Kaye.

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Respectfully submitted,

/s/

Special Hagan, Esq.  
Attorney for Melissa Kaye, MD

Cc: Donna Canfield,  
Counsel for Defendants

The request is granted in light of the representations made by Plaintiff's counsel, Dkt. 253, and the incomplete nature of Plaintiff's summary judgment filings, Dkts. 250-51. Plaintiff's time to oppose summary judgment is extended to May 27, 2022. Defendants shall file a supplemental reply by June 10, 2022. The Clerk of Court is respectfully directed to close the motions pending at Docket Numbers 249, 253, and 256.

SO ORDERED.

Date: May 18, 2022

New York, New York

  
JOHN P. CRONAN  
United States District Judge